

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

<b>In re:</b>	) <b>Chapter 15 Case</b>
	)
<b>FAIRFIELD SENTRY LIMITED, et al.,</b>	) <b>Case No. 10-13164 (SMB)</b>
	)
<b>Debtors in Foreign Proceedings.</b>	) <b>Jointly Administered</b>
	)
<b>FAIRFIELD SENTRY LIMITED (IN LIQUIDATION),</b>	)
<b>et al.,</b>	)
	) <b>Adv. Pro. No. 10-03496</b>
<b>Plaintiffs,</b>	) <b>(SMB)</b>
<b>– against –</b>	) <b>Administratively</b>
	) <b>Consolidated</b>
	)
<b>THEODOOR GGC AMSTERDAM, et al.,</b>	)
	)
<b>Defendants.</b>	)
<b>FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and</b>	)
<b>FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),</b>	)
<b>acting by and through the Foreign Representatives thereof,</b>	)
<b>and KENNETH KRYSS and CHARLOTTE CAULFIELD,</b>	)
<b>solely in their capacities as Foreign Representatives and</b>	) <b>Adv. Pro. No. 10-03635</b>
<b>Liquidators thereof,</b>	) <b>(SMB)</b>
<b>Plaintiffs,</b>	)
<b>-against-</b>	)
<b>ABN AMRO SCHWEIZ AG A/K/A ABN AMRO</b>	)
<b>(SWITZERLAND) AG, ADLER AND CO PRIVATBANK</b>	)
<b>AG, ALLIANZBANK SPA/UNIFORTUNE</b>	)
<b>CONSERVATIVE SIDE POCKET, ALTERNATIVE</b>	)
<b>INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL</b>	)
<b>SPC OBO GLASGOW SEG PORT, BANCA ARNER SA,</b>	)
<b>BANCA UNIONE DI CREDITO, BANK HAPOALIM</b>	)
<b>SWITZERLAND LTD., BANK JULIUS BAER &amp; CO.</b>	)
<b>LTD., BANK SARASIN &amp; CIE, BANQUE CANTONALE</b>	)
<b>VAUDOISE, BANQUE CRAMER &amp; CIE SA, BBVA</b>	)
<b>(SUISSE) SA, BCV AMC DEFENSIVE AL FUND, BNP</b>	)
<b>PARIBAS (SUISSE) SA, BNP PARIBAS (SUISSE) SA EX</b>	)
<b>FORTIS, BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG,</b>	)
<b>BSI EX BANCA DEL GOTTARDO, CACEIS BANK</b>	)
<b>LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT</b>	)

GEMS LOW VOL REG, COMPAGNIE BANCAIRE  
HELVETIQUE, CENTRUM BANK AG (AMS),  
CLARIDEN LEU LTD., CORNER BANCA SA, CREDIT  
SUISSE AG ZURICH, DEXIA BANQUE  
INTERNATIONAL A, LUXEMBOURG, DRESDNER  
BANK SCHWEIZ, EFG BANK SA SWITZERLAND, EFG  
EUROFINANCIER D'INVEST MCL, ENDURANCE  
ABSOLUTE LTD. MASTER, FAIRFIELD INVESTMENT  
GCI, FAIRFIELD INVESTMENT FUND LTD., FALCON  
PRIVATE BANK, FIF ADVANCED LTD., FINTER BANK  
ZURICH, HARMONY CAPITAL FUND LTD., HSBC,  
IHAG HANDELSBANK AG, INCORE BANK AG,  
KARASEL ENHANCED PORTFOLIO, KARLA  
MULTISTRATEGIES LTD., LGT BANK IN  
LIECHTENSTEIN AG, LIECHTENSTEINISCHE LB  
REINVEST AMS, LLOYDS TSB BANK GENEVA,  
LOMBARD ODIER DARIER HENTSCH & CIE,  
LONGBOAT LTD., MASTER CAPITAL AND HEDGE  
FUND, NATIONAL BANK OF KUWAIT, NBK BANQUE  
PRIVEE SUISSE SA, PICTET & CIE, PKB PRIVATBANK  
AG, QUASAR FUNDS SPC A/K/A QUASAR FUND SPC  
CLASS A AND CLASS B CGCNV, RBC DEXIA  
INVESTOR SERVICE JULIUS BAER SICAV, RBS  
COUTTS BANK LTD., RICHOURT AAA  
MULTISTRATEGIES, ROTHSCHILD BANK AG  
ZURICH (DUBLIN) A/K/A ROTHSCHILD BANK AG,  
ROTHSCHILD BANK GENEVA (DUBLIN),  
ROTHSCHILD LUGANO DUBLIN A/K/A BANCA  
PRIVATA EDMOND DE ROTHSCHILD LUGANO S.A.,  
SELLA BANK AG, SIS SEEGANINTERSETTLE, SIX SIS  
LTD., SOCIETE GENERALE BANK & TRUST,  
SOUNDVIEW FUND, SWISSCANTO FD CENTRE  
CLIENTS A/C, T1 GLOBAL FUND LTD., UBS AG NEW  
YORK, UBS AG ZURICH, UBS JERSEY NOMINEES,  
VERWALTUNGS UND PRIVAT-BANK AG  
AKTIENGESELLSCHAFT (AMS), VORARLBERGER  
LANDES UND HYPOTHEKENBANK  
AKTIENGESELLSCHAFT AND BENEFICIAL OWNERS  
OF ACCOUNTS HELD IN THE NAME OF CGC NA 1-  
1000,

Defendants.

## SHAREHOLDER NAME CHANGE STIPULATION

WHEREAS, Kenneth M. Krys and Charlotte E. Caulfield, as joint liquidators and foreign representatives (the “Foreign Representatives”) of Fairfield Sentry Limited (In Liquidation) (“Sentry”) and Fairfield Sigma Limited (In Liquidation) (“Sigma” together with Sentry, the “Funds”), have initiated the above-captioned action (the “Action”) against, among others, Sella Bank AG (“Sella”), for the recovery of \$51,929,665.41 in share redemptions from Sentry and Sigma;

WHEREAS, defendant Sella has requested that the Foreign Representatives amend the operative pleading in this Action to reflect that Sella Bank AG is no longer in existence as a result of a merger and has changed its name to Edmond de Rothschild (Suisse) S.A.; and

WHEREAS, the parties have conferred with regard to this request and have agreed to the terms set forth below.

NOW, THEREFORE, the parties do hereby STIPULATE and AGREE as follows:

1. The operative Third Amended Complaint [Dkt. No. 121] and the Proposed Fourth Amended Complaint [Dkt. No. 139] are hereby amended to substitute Edmond de Rothschild (Suisse) S.A. as named defendant for Sella Bank AG.

2. The Clerk of the Court is hereby authorized and directed to amend the caption of this Action to substitute Edmond de Rothschild (Suisse) S.A. as named defendant for Sella Bank AG. The amended caption is as follows:

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

**In re:**

**FAIRFIELD SENTRY LIMITED, et al.,**

**Debtors in Foreign Proceedings.**

) **Chapter 15 Case**  
)  
) **Case No. 10-13164 (SMB)**  
)  
) **Jointly Administered**  
)  
)

**FAIRFIELD SENTRY LIMITED (IN LIQUIDATION),  
et al.,**

**Plaintiffs,**

– against –

**THEODOOR GGC AMSTERDAM, et al.,**

**Defendants.**

**FAIRFIELD SENTRY LIMITED (IN LIQUIDATION) and  
FAIRFIELD SIGMA LIMITED (IN LIQUIDATION),  
acting by and through the Foreign Representatives thereof,  
and KENNETH KRYS and CHARLOTTE CAULFIELD,  
solely in their capacities as Foreign Representatives and  
Liquidators thereof,**

**Plaintiffs,**

**-against-**

ABN AMRO SCHWEIZ AG A/K/A ABN AMRO (SWITZERLAND) AG, ADLER AND CO PRIVATBANK AG, ALLIANZBANK SPA/UNIFORTUNE CONSERVATIVE SIDE POCKET, ALTERNATIVE INVESTMENT STRATEGIES, ARSENAL SPC, ARSENAL SPC OBO GLASGOW SEG PORT, BANCA ARNER SA, BANCA UNIONE DI CREDITO, BANK HAPOALIM SWITZERLAND LTD., BANK JULIUS BAER & CO. LTD., BANK SARASIN & CIE, BANQUE CANTONALE VAUDOISE, BANQUE CRAMER & CIE SA, BBVA (SUISSE) SA, BCV AMC DEFENSIVE AL FUND, BNP PARIBAS (SUISSE) SA, BNP PARIBAS (SUISSE) SA EX FORTIS, BNP PARIBAS (SUISSE) SA PRIVATE, BSI AG, BSI EX BANCA DEL GOTTARDO, CACEIS BANK LUXEMBOURG, CBB (BVI)/ THE ALKIMA FUND, CBT GEMS LOW VOL REG, COMPAGNIE BANCAIRE HELVETIQUE, CENTRUM BANK AG (AMS), CLARIDEN LEU LTD., CORNER BANCA SA, CREDIT SUISSE AG ZURICH, DEXIA BANQUE INTERNATIONAL A, LUXEMBOURG, DRESDNER BANK SCHWEIZ, EFG BANK SA SWITZERLAND, EFG EUROFINANCIER D'INVEST MCL, ENDURANCE ABSOLUTE LTD. MASTER, FAIRFIELD INVESTMENT GCI, FAIRFIELD INVESTMENT FUND LTD., FALCON PRIVATE BANK, FIF ADVANCED LTD., FINTER BANK

**Adv. Pro. No. 10-03496**  
**(SMB)**

**Administratively Consolidated**

**Adv. Pro. No. 10-03635**  
**(SMB)**

ZURICH, HARMONY CAPITAL FUND LTD., HSBC, )  
IHAG HANDELSBANK AG, INCORE BANK AG, )  
KARASEL ENHANCED PORTFOLIO, KARLA )  
MULTISTRATEGIES LTD., LGT BANK IN )  
LIECHTENSTEIN AG, LIECHTENSTEINISCHE LB )  
REINVEST AMS, LLOYDS TSB BANK GENEVA, )  
LOMBARD ODIER DARIER HENTSCHE & CIE, )  
LONGBOAT LTD., MASTER CAPITAL AND HEDGE )  
FUND, NATIONAL BANK OF KUWAIT, NBK BANQUE )  
PRIVEE SUISSE SA, PICTET & CIE, PKB PRIVATBANK )  
AG, QUASAR FUNDS SPC A/K/A QUASAR FUND SPC )  
CLASS A AND CLASS B CGCNV, RBC DEXIA )  
INVESTOR SERVICE JULIUS BAER SICAV, RBS )  
COUTTS BANK LTD., RICHOURT AAA )  
MULTISTRATEGIES, ROTHSCHILD BANK AG )  
ZURICH (DUBLIN) A/K/A ROTHSCHILD BANK AG, )  
ROTHSCHILD BANK GENEVA (DUBLIN), )  
ROTHSCHILD LUGANO DUBLIN A/K/A BANCA )  
PRIVATA EDMOND DE ROTHSCHILD LUGANO S.A., )  
EDMOND DE ROTHSCHILD (SUISSE) S.A., SIS )  
SEEGANINTERSETTLE, SIX SIS LTD., SOCIETE )  
GENERALE BANK & TRUST, SOUNDVIEW FUND, )  
SWISSCANTO FD CENTRE CLIENTS A/C, T1 GLOBAL )  
FUND LTD., UBS AG NEW YORK, UBS AG ZURICH, )  
UBS JERSEY NOMINEES, VERWALTUNGS UND )  
PRIVAT-BANK AG AKTIENGESELLSCHAFT (AMS), )  
VORARLBERGER LANDES UND HYPOTHEKENBANK )  
AKTIENGESELLSCHAFT AND BENEFICIAL OWNERS )  
OF ACCOUNTS HELD IN THE NAME OF CGC NA 1- )  
1000,

## Defendants.

3. Edmond de Rothschild (Suisse) S.A. hereby represents and warrants that it shall have, be bound by and assume all liabilities of Sella in connection with the claims pending in the Action or otherwise arising out of or relating to any investments in or redemptions of shares of any of the Funds by Sella (the “**Sella Liabilities**”).

4. Edmond de Rothschild (Suisse) S.A. hereby represents and warrants that it has sufficient assets to pay in full any judgment rendered against it in the above-captioned Action with respect to the Sella Liabilities.

5. Edmond de Rothschild (Suisse) S.A. hereby represents and warrants that it will not raise any defenses, affirmative defenses, counterclaims, or other arguments in response to the Foreign Representatives' claims in the Action that would not have otherwise been available to Sella.

6. Notwithstanding anything to the contrary herein, Edmond de Rothschild (Suisse) S.A. hereby represents and warrants that it will not raise, as an affirmative defense or otherwise, issues regarding applicable statutes of limitation or laches periods that may apply to any of the Sella Liabilities of any nature arising out of or relating to the redemptions by Sella that are the subject of claims made in the Action.

7. Nothing in this Stipulation shall constitute, nor be deemed to constitute, a waiver of any rights or objections of the parties in connection with the Action.

8. Each person who executes this Stipulation represents that he or she is duly authorized to execute this Stipulation on behalf of the respective parties hereto and that each such Party has full knowledge of, and has consented to, this Stipulation.

9. This Stipulation may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Delivery of a counterpart by telecopier, email or other electronic means shall be effective as delivery of a manually executed counterpart, and it shall constitute sufficient proof of this Stipulation to present any copy, copies, or facsimiles signed by the parties hereto to be charged.

Dated: September 12, 2018  
New York, New York

By: /s/ David J. Molton

David J. Molton

**BROWN RUDNICK LLP**

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New York, New York 10036

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Dated: September 12, 2018  
New York, New York

By: /s/ John F. Zulack

John F. Zulack

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*Attorneys for the Foreign Representatives of Fairfield Sentry Limited (In Liquidation) and Fairfield Sigma Limited (In Liquidation)* *Attorneys for Defendants Sella Bank AG and Edmond de Rothschild (Suisse) S.A.*

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2018  
New York, NY

\_\_\_\_\_  
Hon. Stuart M. Bernstein  
United States Bankruptcy Judge